

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
SUMMARY MINUTES - REGULAR MEETING

DATE: January 23, 2003
TIME: 4:00 p.m.

PLACE: Wyndham Hotel
SeaTac, Washington

MEETING CALLED TO ORDER	1
RECOGNITION	1
NOVA FUEL STUDY OVERVIEW.....	1
THURSTON COUNTY ORV PARK.....	4

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION SUMMARY MINUTES - REGULAR MEETING

DATE: January 23, 2003

PLACE: Wyndham Hotel

TIME: 4:00 p.m.

SeaTac, Washington

INTERAGENCY COMMITTEE MEMBERS PRESENT:

Ruth Mahan, Chair	Friday Harbor
Connie Kearney	Vancouver
Christine Wakefield Nichols	Snohomish
Daryl Williams	Marysville
Rex Derr	Director, State Parks and Recreation Commission
Craig Partridge	Designee, Department of Natural Resources
Elyse Kane	Designee, Department of Fish and Wildlife

IT IS INTENDED THAT THIS SUMMARY BE USED WITH THE NOTEBOOK PROVIDED IN ADVANCE OF THE MEETING.
A RECORDED TAPE IS RETAINED BY IAC AS THE FORMAL RECORD OF MEETING.

MEETING CALLED TO ORDER

Meeting was called to order at 4:00 p.m. by chair Ruth Mahan.

RECOGNITION

Director Johnson recommended Resolution #2003-02 in recognition of citizen member Connie Kearney. This is Ms. Kearney's last meeting and the Board wanted to thank her for her two years on the Board. Ms. Kearney has done a terrific job and will be missed. Rex Derr MOVED to adopt Resolution #2003-02. Christine Wakefield Nichols SECONDED the motion. Resolution APPROVED by all members. A copy of this Resolution will be sent to Governor Gary Locke.

NOVA FUEL STUDY OVERVIEW

Scott Chapman presented this agenda item (see notebook for details).

Scott also noted that this study was on NOVA fuel uses, not on the total amount of fuel used in the state.

The Board discussed the differences and definitions of motorized, non-motorized, and other activities.

Public Testimony:

Jerry Homola, Northwest Motorcycle Association (NMA), concerned with adoption of the NOVA fuel study. He and his family are very active in recreational activities around the state. He was one of the participants receiving a fuel use study survey. Does not see upkeep of trails. Concerned that mountain bike activities are taking over the trails. Not able to tell where funded roads change over to non-highway roads. Feels there is improper management of the trails. Is the goal to make areas extinct to motorized vehicles? Does not feel this is the time to adopt Resolution #2003-01. Felt the survey was flawed.

James L. King Jr., Citizens for Parks and Recreation, works as a lobbyist for citizens in the state concerned with our park systems. Glad to see the study done. Credible study. Is in full support of the Resolution. Doesn't feel the legislature is in a position to work on NOVA issues. Would like to see the Committee adopt the Resolution with option #2.

Ken Konigsmark, member of the NOVA committee and the Issaquah Trails, appreciates the IAC fuel study. The study proved what the hikers have been saying for years – funding should be readjusted. IAC's task today should be to decide how to allocate the 54.5% of funds it receives. Recommends the Board pass amended Resolution to support legislative action to reform the NOVA allocations.

Dave Hiatt, Northwest Motorcycle Association, feels NOVA funds are to be used for motorized activities only. Would like the committee to look at the damage he believes has been done to the NOVA program. IAC fatally flawed the survey by using the term back roads in place of non-highway roads. Encourages IAC to not pass Resolution #2003-01.

Karl Forsgaard, IAC appointed hiker representative on the fuel use study committee, believes the study was legitimate. Urges approval of Resolution #2003-01. IAC should recommend to legislature to consider adjusting percentage distribution of the funding amounts this year and not waiting. (Handed out pie-chart on fuel usage.)

Jonathan Guzzo, Fair Trails Coalition, feels this is a good study and is proud of the study. Study was well constructed and robust. Study numbers echoed numbers found through other IAC studies as well as the national usage numbers. Would like to echo others comments on urging legislators to adjust funding percentages. Resolution should be amended to adjust funding. (Handed out a letter of support.)

Elizabeth Lunney, Washington Trails Association, also supports the study and has been looking forward to its release for a long time. All user groups need funding. Urges the Board to ask the legislature to adjust the percentages now and not wait. Thinks it is very important to pass changes this year.

Art Tuftee, representing mountain bikers, is satisfied with the results of the study and recommends moving forward with changes as soon as possible. An issue that is of concern is the percentage of fuel use attributed to non-motorized users. Does a large amount of recreating in motorized areas and does not want to get lumped into non-motorized funds. The "other" category needs more discussion and input before making a decision on what to do with that funding.

Board Discussion:

Connie Kearney asked if the Board were to choose any of the legislative changes would it affect IAC funds only or all the agencies involved.

Response: The recommendation is for IAC portions only.

Ms. Kearney asked if the proviso required the Board to address whether the 1% allocation is the proper amount.

Response: That was not the purpose of the study as stated in the proviso

Ms. Kearney asked what the timing would be to use the \$10 million and when do we make decisions on allocating the funds.

Response: IAC typically makes annual grants to ORV and non-highway road projects and 2-year grants to the Education and Enforcement projects. (Editorial Clarification: \$10 million is estimate of all NOVA funds for a biennium, all agencies; IAC's biennial portion of that is about \$5 million. In 2003, IAC's proposed NOVA grant application deadline is October 03.)

Elyse Kane voiced her concern about one speaker's comment that that the survey did not count the fuel used to haul equipment to an ORV site.

Response clarified that each survey asked people to identify fuel usage for a specific piece of equipment, random by DOL License number. For instance, one survey recipient may have been asked about a specific vehicle which happened to be used to haul ORV equipment, and another survey recipient's survey might have asked about a licensed vehicle which happened to be ORV equipment itself.

Craig Partridge asked about legislative wording of RCW 46.09.170. It appears the language refers to allocation among uses, not allocation among agencies.

Jim Fox responded that the legislation specifically addresses uses.

Christine Wakefield Nichols asked about the Resolution and whether the Board was only being asked to accept the study as is.

Chair Mahan explained that there is a second component to the Resolution asking the Board to consider a permanent statutory definition of "nonhighway road recreational facilities" as the definition in the current biennial budget expires on June 30, 2003.

Chair Mahan asked about the steps in the process outlined in the Resolution.

Director Johnson feels there is enough time for staff to complete their work and to get their information to the Board for consideration before the September meeting.

Elyse Kane expressed concern about the way different user groups are divided over the definition of nonhighway road recreation facilities and whether IAC is being asked to express its view on how it should be defined.

Jim Fox explained that the definition has been in IAC policy for the last 17 years but that it needs to be added to statute. The attorney general found that the current definition contains ambiguity concerning motorized and non-motorized usage.

Rex Derr appreciates the work the staff has done and would like to see the survey results be made available to state policy makers. Would like to hear from all the stakeholders on all the ramifications of the changes. Made a MOTION to adopt the Resolution with an amendment that the study would be transmitted to the legislature with a list of stakeholders and overview of ramifications and, secondly, to alert the Legislature to activities that will result in potential changes for their consideration in the 2004 legislative session. Daryl Williams SECONDED the motion.

Chair Mahan suggested making a motion based on the Resolution and then having a discussion that gives instructions to staff.

Rex Derr withdrew his MOTION. Daryl Williams withdrew his SECOND.

Christine Wakefield Nichols MOVED to adopt Resolution #2003-01. Daryl Williams SECONDED.

Elyse Kane is concerned with submitting any recommendations for a *permanent* statutory definition to the legislators this year.

Craig Partridge thought he heard both motorized and non-motorized testifiers want to continue the current definition.

Christine Wakefield Nichols suggested changing the Resolution to an interim status by continuing with the current language until work with stakeholders leads us to a permanent statutory definition of non-highway road recreational facilities.

Elyse Kane MOVED to amend Resolution #2003-01 so IAC recommends continuing the current definition of non-highway road facilities as found in the 2002 budget proviso. Craig Partridge SECONDED. Board APPROVED amending Resolution #2003-01.

Daryl Williams would like staff to invite someone from the tribal community to participate in the stakeholder group. Would also like to increase the percentage of funds for education and enforcement.

Connie Kearney MOVED to further amend the Resolution to include language that this Resolution and the study will be transmitted to the legislature with a letter describing the implications and further informing the legislature that we intend to begin working with the various entities that are involved with the decision making on this allocation decision. Craig Partridge SECONDED. Board APPROVED Resolution #2003-01 as twice amended.

Connie Kearney commented that she has read the fuel study document. She feels this is a legitimate report, knowing this is the beginning of the work. Understands that some would like to make allocation changes today, but knowing this is a difficult year for the legislators, it may not be the best time to make changes. This new plan will take some thoughtful deliberation before making a permanent change.

Christine Wakefield Nichols agreed with Ms. Kearney's comments that it would be better to wait before making changes.

Elyse Kane thanked all the speakers for taking the time to speak to the Board on this issue. She is comfortable with the Resolution as it is now, and not making program changes at this point.

THURSTON COUNTY ORV PARK

Scott Chapman gave the Board an overview of the Thurston County ORV Park. He reviewed issues about its closure and funds spent by IAC over the last 14 or 15-year period.

Handed out overview and letter from Representative Condotta.

Mr. Chapman discussed the different conversion requirements when facilities close or change their usage.

For the Sports Park, some of the ORV agreements do not provide for conversion; some require repayment of funds, and some require replacement of the same type facility in the same general area.

Director Johnson reported that the Board needs to have an executive session with our assistant attorney general to discuss the legal issues around this topic. This meeting will take place at the March 2003 IAC meeting.

Elyse Kane asked about some of the past funding specifics. Mr. Chapman will gather information and provide Ms. Kane with answers to her questions.

Staff has received several letters from constituents asking to keep the park open.

The Board will discuss this topic at the March 13 & 14 Board Meeting.

Ms. Kane would like to have staff review agreements to see what the timing is on the different types of grants.

Chair Mahan would like to have a written overview of the topic from the assistant attorney general prior to the Executive Session.

With no further items or comments, the meeting adjourned at 7:04 p.m.

Ruth Mahan, Chair

Next Meeting: March 13 & 14, 2003
 Tacoma Rhodes Center
 Tacoma, Washington

RESOLUTION #2003-01

NOVA Fuel Use Study Adoption

January 23, 2003

WHEREAS, SBB 6155, Section 346 (3), laws of 2001, directed IAC to "...contract with an independent entity to study the source and make recommendations on the distribution and use of funds provided to off-road vehicle and nonhighway road recreational activities under RCW 46.09.170...." and

WHEREAS, IAC contracted with Hebert Research, Inc. to complete a Fuel Use Study; and

WHEREAS, a task force of user group representatives, affected state agencies, and technical advisors have participated in all phases of the Fuel Use Study; and

WHEREAS, the public has been provided with the opportunity to review and comment on the draft Fuel Use Study;

NOW, THEREFORE BE IT RESOLVED, that IAC hereby adopts the NOVA Fuel Use Study, dated January 8, 2003 (updated to include returned surveys, if any, through January 30, 2003), with thanks extended to the task force participants for their valuable contributions; and

BE IT FURTHER RESOLVED, that IAC recommends the definition of "nonhighway road recreational facilities" as set out in the 2002 budget proviso language be recommended for reenactment as a proviso in the 2003-05 capital budget, until any additional changes to the NOVA programs, including a permanent definition in statute, are enacted by the legislature;

BE IT FURTHER RESOLVED, that IAC also directs staff to begin working immediately with stakeholders to conduct a full review of IAC, State Parks, WDFW and DNR NOVA programs and develop recommendations for policy changes and legislation for consideration at the September 2003 IAC meeting. Stakeholders would include representatives of different recreational interests, affected land managers, tribal representatives and the four state agencies that receive NOVA fuel tax funds; and

BE IT FURTHER RESOLVED, that IAC directs staff to submit this recommendation to the legislature with an explanatory cover letter.

Resolution moved by: Connie Kearney

Resolution seconded by: Christine Wakefield Nichols

Adopted/Defeated/Deferred (underline one)

Date: January 23, 2003

RESOLUTION #2003-02

RECOGNITION AND APPRECIATION

WHEREAS, Connie Kearney of Vancouver, Washington served as a citizen member on the Interagency Committee for Outdoor Recreation (IAC) from February 2001 through January 2003, and

WHEREAS, Ms. Kearney's service with the IAC assisted the citizens of the State of Washington in programs for conservation, stewardship, acquisition, and development of recreation and habitat resources, and

WHEREAS, the Interagency Committee recognizes her service rendered to the Committee during her tenure, and

WHEREAS, the Interagency Committee wishes her well in future endeavors, with particular wishes for her future outdoor recreation pursuits.

NOW, THEREFORE, BE IT RESOLVED that, on behalf of the citizens of Washington and in recognition of Connie Kearney's assistance to the IAC in performing her responsibilities and duties as a member, the Committee and its staff extends its thanks and appreciation to her, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Honorable Gary Locke, Governor of the State of Washington, with a copy of the letter of appreciation to Ms. Kearney.

Approved this 23rd day of January 2003.

Ruth Mahan

Rex Derr

Craig Partridge

Christine Wakefield Nichols

Elyse Kane

Daryl Williams